REMARKS

Applicants submit a Petition and Fee for a One-Month Extension of Time.

Claims 1-24 are all the claims presently pending in the application. Claims 1-12, 14-16, 18, and 21-23 are amended to more clearly define the invention. Claims 1, 7, 9-11, and 22-23 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Claims 1-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Cook et al. reference.

This rejection is respectfully traversed in the following discussion.

I.   THE DECLARATION

The Office Action objects to "The Oath . . . as being informal." However, contrary to the Examiner's allegation, Applicants never filed an oath. Rather, Applicants filed a Declaration, which filing complied with the requirements for a Declaration under 37 C.F.R. § 1.68.

The Office Action also alleges that the signature is not in permanent ink, or its equivalent in quality, "as required under 37 C.F.R. 1.52(a)(1)(iv)." However, contrary to the Examiner's allegation, the Declaration includes signatures <u>which are in permanent ink</u>.

Further, 37 C.F.R. § 1.52(a)(1)(iv) merely requires that papers which are to become

part of the permanent record are to be "plainly and legibly written either by a typewriter or machine printer in permanent dark ink or is equivalent." Surely, the Examiner cannot be suggesting that the Applicants' signatures must be "written either by a typewriter or machine printer." Such a result would be contrary to the requirement of 37 C.F.R. § 1.63 which requires that a declaration "Be executed, *i.e.*, signed." Evidence of execution cannot be provided with machine printed or typewritten writing.

Applicants respectfully request withdrawal of this objection.

The Examiner's objection to an "Oath" when a Declaration was filed, and the clear mis-application of the rules by the Examiner, is confusing. Should the Examiner continue to have issues and/or questions regarding the Declaration, Applicants invite the Examiner to contact the undersigned representative.

II.   THE 35 U.S.C. § 101 REJECTION

The Office Action rejects claims 9 and 22-24 as allegedly being directed to non-statutory subject matter. In this regard, this Amendment amends independent claims 9 and 22 in accordance with Examiner Bhatia's suggestions.

With respect to claims 23 and 24, Applicant's respectfully submit that the subject matter recited by these claims are directed to a method for using a computer. A computer clearly meets the requirements of a tangible embodiment. The Examiner is directed to M.P.E.P. § 2106, which states that a claim which defines a useful machine by identifying the physical structure of the machine, defines statutory subject matter.

Applicants respectfully request withdrawal of this rejection.

III.   THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to a project management system including a server connected by a network to a plurality of user terminals operated respectively by a plurality of users, and a database for storing contents contained in each project participated in by some or all of the plurality of users. The server includes a communication controller for transmitting pages to the user terminals and receiving operation messages from the pages, a project desktop sheet generator for reading contents data from the database in response to the operation messages and generating, for each project, a page as a project desktop for displaying or accessing all contents belonging to the project, and an access controller for, when an access has been made for content of the contents via the communication controller, controlling communications with the user terminals in unit of the project desktop containing the contents.

Conventional project management systems require the use of different software packages to manage statements and document files for a project.

Further, even when multiple projects are being managed, conventional project management systems require that a search for the location of documents on a project-by-project basis before being able to obtain all of the documents for each of the projects.

Moreover, management of user access rights in the conventional project management systems have been complicated and troublesome.

In stark contrast, an exemplary embodiment of the present invention provides a project management system that includes a project desktop sheet generator that generates, for each project, a page as a project desktop for displaying or accessing all contents belonging to

the project. In this manner, the present invention is capable of easily managing the

registration and searching of documents relating to projects and of managing the sharing of

information for each of the projects and supporting management of the advancement of the

project even when multiple users participate in the projects. (Page 2, lines 12-24).

IV.   THE PRIOR ART REJECTION

The Examiner alleges that the Cook et al. reference teaches the claimed invention.

Applicants submit, however, that there are elements of the claimed invention which are

neither taught nor suggested by the Cook et al. reference.

The Cook et al. reference does not teach or suggest the features of the claimed

invention including generating, for each project, a page as a project desktop for displaying or

accessing all contents belonging to the project. As explained above, this feature is important

for easily managing the registration and searching of documents relating to projects,

managing the sharing of information for each of the projects and supporting management of

the advancement of the project even when multiple users participate in the projects.

Rather, and in stark contrast, the Cook et al. reference discloses an agent based

instruction system and method with which a "virtual tutor" for a student is provided. The

system that is disclosed by the Cook et al. reference illustrates, for example, a system area

302 upon which an agent area 303, a materials area 304, a student customization area 305, a

toolbar 306, a calendar 307, a clock 308, and a toolbar 310 may be presented to a student.

The "page" that is disclosed by the Cook et al. reference does not display or provide

access to all contents for a project. Rather, the system that is disclosed by the Cook et al.

reference merely provide a page which will only provide selected access to individual

documents for any given project (e.g., a homework assignment) at one time. In other words, the system that is disclosed by the Cook et al. reference merely provides a display of or access to <u>one document at a time</u>. The system that is disclosed by the Cook et al. reference clearly does not display or provide access to <u>all</u> documents for a project as recited by the claimed invention.

In stark contrast, to the Cook et al. reference, an exemplary embodiment of the present invention as illustrated by Figure 3, provides a page (e.g., project desktop 30) which displays and provides access to <u>all</u> documents for a project. In the example of Figure 3, for project 1, a description of project, a member list, a forum, and a bookshelf is displayed on the page. Further, edit buttons and operate buttons are provided by the page with which the exemplary embodiment of the invention provides access to <u>all</u> documents for that project.

The Cook et al. reference clearly does not display or provide access to <u>all</u> documents for a project on a single page as is done by the present invention.

Therefore, contrary to the Examiner's allegations, the Cook et al. reference does not teach or suggest the features of the claimed invention including generating, for each project,<u> a page as a project desktop for displaying or accessing all contents belonging to the project</u>.

Further, the Cook et al. reference is non-analogous art. Therefore, the Examiner is not permitted to rely upon the Cook et al. reference as a basis for rejection the present application.

"In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." (M.P.E.P. § 2141.01(a))

In this instance, the Cook et al. reference is neither 1) within the field of applicant's endeavor; or 2) reasonably pertinent to the particular problem with which the inventor was concerned.

As very clearly explained by the present application, Applicants' endeavor is within the field of project management (page 1, lines 4-6).

In stark contrast, the Cook et al. reference is in the completely different and unrelated field of computer-assisted instruction of students. (Col. 1, lines 53-64).

Therefore, the Cook et al. reference is clearly not within the field of Applicant's endeavor.

The Cook et al. reference is also not reasonably pertinent to the particular problem with which the inventor was concerned.

As explained above, the inventors of the claimed invention were concerned with the problems of: 1) conventional project management systems requiring the use of different software packages to manage statements and document files for a project; 2) when multiple projects are being managed, conventional project management systems requiring that a search for the location of documents on a project-by-project basis before being able to obtain all of the documents for each of the projects; and 3) managing user access rights in the conventional project management systems being complicated and troublesome. (Page 1, line 31 - page 2, line 9).

The Cook et al. reference is clearly not reasonably pertinent to these problems.

Rather, the Cook et al. reference is concerned with the completely different and unrelated problems of: 1) a failure to provide a computer-based instruction systems that adapts or individualizes to each student; 2) a failure to integrate systems effectively into

existing classrooms in elementary and secondary schools; and 3) a failure to exploit technological developments.

None of these problems are even remotely related to the problems with which the inventors were concerned with addressing.

Therefore, the Cook et al. reference is neither 1) within the field of applicant's endeavor; or 2) reasonably pertinent to the particular problem with which the inventor was concerned and, as such, the Examiner is not permitted to rely upon the Cook et al. reference as a basis for rejecting the present application.

The Examiner is respectfully requested to withdraw this rejection of claims 1-24.

V.   FORMAL MATTERS AND CONCLUSION

The Office Action objects to the claims for including reference characters. This Amendment amends the claims in accordance with Examiner Bhatia's very helpful suggestions. Applicants respectfully request withdrawal of this objection.
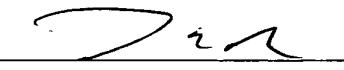
In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-24, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a <u>telephonic or personal interview.</u>

The Commissioner is hereby authorized to charge any deficiency in fees or to credit

any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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